

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**May 22, 2024**

SEAN F. MCAVOY, CLERK

Name of Offender: Jackson Daniel Bowers

Case Number: 0980 2:19CR00051-TOR-1

Address of Offender: [REDACTED], Spokane Valley, Washington 99206

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: June 26, 2019

Original Offense: Possession with Intent to Distribute Heroin, 21 U.S.C. § 841(a)(1), (b)(1)(C)

Original Sentence: Prison - 36 Months; Type of Supervision: Supervised Release
TSR - 36 MonthsRevocation Sentence: Prison - 9 Months;
(May 10, 2023) TSR - 36 Months

Asst. U.S. Attorney: Caitlin A. Baunsgard

Date Supervision Commenced: November 9, 2023

Defense Attorney: Carter Liam Powers Beggs

Date Supervision Expires: November 8, 2026

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 02/13/2024.

On November 13, 2023, Mr. Jackson Bowers signed his conditions relative to case number 2:19CR00051-TOR-1, indicating that he understood all conditions as ordered by the Court.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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	<u>Mandatory Condition #1:</u> You must not commit another federal, state or local crime.
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Supporting Evidence: Mr. Jackson Bowers is alleged to have violated mandatory condition number 1, on May 19, 2024, after being arrested by the Washington State Patrol for the offense of Driving Under the Influence, in violation of R.C.W. 46.61.502, a gross misdemeanor.

Specifically, on May 19, 2024, automated notification was received by the U.S. Probation Office indicating that the client's name had been run by the Washington State Patrol. On May 20, 2024, at 6:27 a.m., the undersigned officer received a text message from Mr. Bowers indicating that he had been "pulled over" for driving under the influence, further advising he had court on the day in question at 3 p.m. Mr. Bowers was directed to report to the U.S. Probation Office on the day in question for further dialogue.

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On May 20, 2024, the affidavit of probable cause and issued citations were received by the U.S. Probation Office in Spokane, relative to the offense. It should be noted that a request for the full police report remains pending with the agency as of the date of this report. According to the affidavit of probable cause, on May 19, 2024, at approximately 1:49 a.m., law enforcement observed a vehicle, later determined to be driven by the defendant, to have drifted from the center of the driving lane to the right “constantly.” The officer further indicated in the report that the vehicle was observed to have crossed into the lane beside it by a tire width.

Upon initiating contact with Mr. Bowers, the arresting officer described Mr. Bowers as starting to smoke a cigarette and observed that his pants were unzipped. The officer further checked boxes on the report noting the following observations: an odor of intoxicants, watery eyes, cooperative, and that the defendant refused both a preliminary breath test and standard field sobriety testing. The report concludes noting that two independent valid breath samples were obtained and the results were .138/.142 and .137/.142. Two citations were also attached, citing Mr. Bowers for driving under the influence and improper lane travel, a traffic violation for which he was fined \$145.

On May 20, 2024, Mr. Bowers subsequently reported to the U.S. Probation Office as directed, and did submit to urinalysis testing, the result of which proved negative for all substances. The sample was forwarded to the lab for verification of alcohol. Mr. Bowers denied illicit drug use, but admitted that the sample may return positive for alcohol given the proximity in time of the alleged offense. Mr. Bowers apologized for the circumstance and described the event as a “fuck up.” Mr. Bowers did indicate that his next scheduled pretrial hearing is currently set for May 28, 2024, in Spokane County District Court and he indicated he pled not guilty to the alleged offense this date as a part of his initial state court hearing. Mr. Bowers denied that he had refused a preliminary breath test as indicated on the report, which would appear to be substantiated by the results as outlined herein, but he did admit to having refused field sobriety testing, advising he knew he was already “fucked” and he did not want anyone else to see him in that capacity.

3 **Special Condition #5:** You must not enter into or remain in any establishment where alcohol is the primary item of sale. You must abstain from alcohol and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from this substance.

Supporting Evidence: Mr. Jackson Bowers is alleged to have violated special condition number 5 by ingesting alcohol on or about May 19, 2024, based on law enforcement administered Breathalyzer testing.

Specifically, on May 19, 2024, Mr. Bowers was contacted by law enforcement in the community after the vehicle he was driving was observed to be exhibiting poor lane travel. As a part of Mr. Bowers’ contact with law enforcement, and according to the received and available affidavit of probable cause in this matter, Mr. Bowers submitted two separate Breathalyzer samples during the contact that were documented by law enforcement to have registered a result of .138/.142 and .137/.142, with Mr. Bowers later describing the circumstance as a “fuck up.” A formal request seeking the full police report in this matter remains pending at the time of this report.

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The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 21, 2024

s/Chris Heinen

Chris Heinen
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☒ Other: All pending violations will be addressed at the Revocation Hearing scheduled for June 5, 2024, at 11:00 AM.



Thomas O. Rice
United States District Judge

May 22, 2024

Date